

Introduced by Senator Ashburn

February 22, 2005

An act to amend Section 25249.1 of the Health and Safety Code, relating to hazardous substances.

LEGISLATIVE COUNSEL'S DIGEST

SB 977, as introduced, Ashburn. Hazardous substances: perchlorate.

Existing law, for purposes of specified provisions governing perchlorate contamination prevention, defines "perchlorate" to mean all perchlorate-containing compounds, and "perchlorate material" to mean perchlorate and all perchlorate-containing substances, including, but not limited to, waste perchlorate and perchlorate-containing waste.

This bill would specify that "perchlorate" does not include perchlorate located in unused military munitions, as defined in federal regulations, that were stored on or after January 1, 2004.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25249.1 of the Health and Safety Code
- 2 is amended to read:
- 3 25249.1. For the purposes of this article, the following
- 4 definitions shall apply:
- 5 (a) "Management" means disposal, storage, packaging,
- 6 processing, pumping, recovery, recycling, transportation,
- 7 transfer, treatment, use, and reuse.
- 8 (b) "Perchlorate" means all perchlorate-containing
- 9 compounds.

1 (c) “Perchlorate facility” means all contiguous land, and the
2 structures, appurtenances and improvements on the land, that has
3 been used for the management of perchlorate material. A
4 perchlorate facility may consist of one or more units, or
5 combination of units, that is or has been used for the
6 management of perchlorate material.

7 (d) “Perchlorate material” means perchlorate and all
8 perchlorate-containing substances, including, but not limited to,
9 waste perchlorate and perchlorate-containing waste.

10 (e) “Public drinking water well” has the same meaning as
11 defined in paragraph (1) of subdivision (a) of Section 25299.97.

12 (f) *“Perchlorate” does not include perchlorate located in*
13 *unused military munitions, as defined in Section 260.10 of Title*
14 *40 of the Code of Federal Regulations that were stored on or*
15 *after January 1, 2004.*